

MESSAGE NO: 6015302

MESSAGE DATE: 01/15/2016

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: INF-Information Notice PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE:

FR CITE DATE:

REFERENCE MESSAGE #
(s): 5286301

CASE #(s): A-570-979

EFFECTIVE DATE: 10/08/2015

COURT CASE #: 15-00231

PERIOD OF REVIEW: 05/25/2012 TO

11/30/2013

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Preliminary injunction on solar cells from the PRC for multiple companies for the period 05/25/2012 through 11/30/2013 (A-570-979), court number 15-00231

This is an informational message for CBP.

1. As discussed in paragraphs 2 and 3 of Message No. 2158303, dated 06/06/2012, Commerce considers modules, laminates, and panels produced in a third country from subject crystalline silicon photovoltaic cells (solar cells) produced in the People's Republic of China (PRC) to be covered by the scope of the antidumping duty order on crystalline silicon photovoltaic cells, whether or not assembled into modules, from the PRC (A-570-979) (AD Order). However, modules, laminates, and panels produced in the PRC from solar cells produced in a third country are not covered by the scope of the AD Order. Since importers may import modules, laminates, or panels produced in a third country from subject solar cells produced in the PRC and this merchandise may have a non-Chinese country of origin for Customs purposes, third-country case numbers have been established to allow such merchandise to be properly claimed as subject merchandise upon entry.

2. On 10/08/2015, the U.S. Court of International Trade issued an amended preliminary injunction enjoining liquidation of certain entries which are subject to the AD Order for the period 05/25/2012 through 11/30/2013. See Message No. 5286301, dated 10/13/2015. This amended preliminary injunction was issued in connection with court number 15-00231.

3. The amended preliminary injunction referenced in message 5286301 applies not only to case number A-570-979, but also applies to merchandise entered under the third-country case numbers associated with this antidumping duty order. Because merchandise entered under the following third country case numbers is covered by the scope of the AD Order, such merchandise is enjoined and should not be liquidated if entered, or withdrawn from warehouse, for consumption during the period 05/25/2012 through 11/30/2013, and exported by any of the companies listed in message 5286301.

COUNTRY : CASE NUMBER:

Argentina A-357-988

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Australia A-602-988
Austria A-433-988
Belgium A-423-988
Canada A-122-988
Croatia A-479-988
Czech Republic A-435-988
Denmark A-409-988
France A-427-988
Germany A-428-988
Hong Kong A-582-988
Hungary A-437-988
India A-533-988
Israel A-508-988
Italy A-475-988
Japan A-588-988
Korea A-580-988
Malaysia A-557-988
Mexico A-201-988
Netherlands A-421-988
New Zealand A-614-988
Norway A-403-988
Philippines A-565-988
Poland A-455-988
Portugal A-471-988
Russia A-462-988
Singapore A-559-988
Spain A-470-988
Sweden A-401-988
Switzerland A-441-988
Taiwan A-583-988
Thailand A-549-988
Turkey A-489-988
United Kingdom A-412-988
Vietnam A-552-988

4. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit
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their inquiries through authorized CBP channels only. (This message was generated by O4:JDP.)

5. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party